

## Superior Court of Arizona in Maricopa County, Juvenile Court

### DESTRUCTION OF RECORDS A.R.S. § 8-349 (B)

If you are 18 years old or older, you may apply for destruction of Juvenile Court and Arizona Department of Juvenile Corrections records IF the records concern a referral or citation that did not result in further action or that resulted in diversion, placement in a community based alternative program OR an adjudication of delinquency as identified below.

Before filing this application, you must under oath certify that all of the following are true:

- ◆ you are at least 18 years of age
- ◆ you have not been convicted of a felony offense or adjudicated delinquent for an offense listed in A.R.S. 13-501 subsection A or B (see below) or Title 28 Chapter 4 (driving under the influence)
- ◆ A.R.S. 13-501 subsection A offenses: first degree murder, second degree murder, forcible sexual assault, armed robbery, violent felony offense, felony offense committed by a chronic felony offender, any offense properly joined to an offense listed.
- ◆ A.R.S. 13-501 Subsection B offenses: class 1 felony, class 2 felony, class 3 felony (violation for any offense in chapter 10 through 17 or chapter 19 or 23), class 3,4,5, or 6 felony involving intentional or knowing infliction of serious physical injury or the discharge, use, or threatening exhibition of a deadly weapon or dangerous instrument, felony offense committed by chronic felony offender, any offense properly joined to an offense listed.
- ◆ a criminal charge is not pending against you
- ◆ you have completed all terms and conditions of your court ordered probation, or received a discharge from the Arizona Department of Juvenile Corrections
- ◆ all restitution and monetary assessments have been paid in full

#### INSTRUCTIONS:

Once you have met the qualifications, you must follow these instructions:

1. Obtain an application.
2. Read all material included prior to filing.
3. Complete your application legibly.
4. Sign the application. It does not have to be notarized.
5. Make a copy of your application for your records.
6. File the application with the Clerk of the Court at:: 3131 West Durango Avenue, Phoenix, Arizona 85009  
OR 1810 South Lewis Street, Mesa, Arizona 85210

### DESTRUCTION OF RECORDS A.R.S. § 8-349 (D)

If you are 25 years of age or older, you may apply for destruction of juvenile records if the records concern a referral that resulted in an adjudication of delinquency for an offense not subject to A.R.S. 8-349 (B).

Before filing the application you must under oath certify that all of the following are true:

- ◆ you are at least 25 years of age
- ◆ you have not been convicted of a felony offense
- ◆ a criminal charge is not pending against you
- ◆ you have completed all terms and conditions of your court ordered probation, or received a discharge from the Arizona Department of Juvenile Corrections
- ◆ all restitution and monetary assessments have been paid in full

**ALL monetary fees & assessments must have been paid in full, including ALL monetary fees & assessments owed by the parent or guardian of the juvenile.**

The County Attorney shall be served with a copy of the Application for Destruction of Records and has up to 90 days within which to file an objection to the destruction of your juvenile records.

**EITHER A THREE PART APPLICATION OR 3 COPIES OF THE APPLICATION MUST BE FILED WITH THE CLERK OF THE COURT.**

**THE CLERK OF THE COURT WILL PROVIDE SERVICE ON THE COUNTY ATTORNEY IF ALL THREE PARTS OR COPIES ARE PROVIDED AT THE TIME OF FILING.**

**SETTING ASIDE ADJUDICATIONS**  
**A.R.S. § 8-348**

If you are at least 18 years of age, have been adjudicated delinquent or incorrigible, and have fulfilled the conditions of probation and discharge that were ordered by the Court, you may apply to the juvenile court, to set aside the adjudication.

You are not eligible to apply if you were adjudicated delinquent for any of the following offenses:

- ◆ an offense involving the infliction of serious physical injury
- ◆ an offense involving the use or exhibition of a deadly weapon or dangerous instrument
- ◆ an offense in violation of title 13, chapter 14 (*sexual offenses*)
- ◆ an offense in violation of section 28-1381, *driving under the influence*; 28-1382, *driving under the extreme influence*; 28-1383, *aggravated driving under the influence*; or 28-3473, *driving on a suspended license*
- ◆ a civil traffic violation under title 28, chapter 3  
(See 8-348.D.5)

Before filing the application you must under oath certify that all of the following are true:

- ◆ you are at least 18 years of age
- ◆ the offense was not in violation of the above stated statutes
- ◆ you have not been convicted of a criminal offense
- ◆ you do not have a criminal charge pending
- ◆ you have completed all terms and conditions of your court ordered probation or received a discharge from the Arizona Department of Juvenile Corrections
- ◆ all restitution and monetary assessments have been paid in full

You are not eligible to apply if you were adjudicated delinquent for certain felonies, including, but not limited to, any of the following offenses:

- ◆ an offense involving the infliction of serious physical injury
- ◆ an offense involving the use or exhibition of a deadly weapon or dangerous instrument
- ◆ an offense in violation of title 13, chapter 14 (*sexual offenses*)
- ◆ an offense in violation of section 28-1381, *driving under the influence*; 28-1382, *driving under the extreme influence*; 28-1383, *aggravated driving under the influence*; or 28-3473, *driving on a suspended license*
- ◆ a civil traffic violation under title 28, chapter 3
- ◆ Class 3 felony offenses in chapter 10 through 17, 19 or 23, including residential burglary.

**RESTORATION OF CIVIL RIGHTS**  
**A.R.S. § 13-912-.01**

You may apply for restoration of civil rights and your right to carry a gun or firearm if one of the following apply:

- ◆ if you were adjudicated delinquent for a misdemeanor and have been released from probation, or
- ◆ if you have reached the age of 30 and were adjudicated delinquent for a dangerous offense as outlined under A.R.S. 13-604 or a serious offense under A.R.S. 13-604 or burglary in the second degree or arson
- ◆ A.R.S. 13-604 dangerous offenses: a felony involving the discharge, use, or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury upon another
- ◆ A.R.S. 13-604 serious offenses: first degree murder, second degree murder, manslaughter, aggravated assault resulting in serious physical injury or involving the discharge, use, or threatening exhibition of a deadly weapon or dangerous instrument, sexual assault, any dangerous crime against children, arson of an occupied structure, armed robbery, burglary in the first degree, kidnapping, or sexual conduct with a minor under 15 years of age, or
- ◆ if it has been two years since you were discharged from probation after being adjudicated delinquent for any other felony offenses

Before filing the application you must under oath certify that all of the following is true:

- ◆ you meet one of the above requirements
- ◆ you have completed all terms and conditions of your court ordered probation, including the payment of restitution

(Pursuant to Juvenile Administrative Order 2001-03)

**SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY  
JUVENILE COURT**

**IN THE MATTER OF:**

**JV** \_\_\_\_\_  
(if applicable)

**JF** \_\_\_\_\_

\_\_\_\_\_  
(Applicant's Name)

**APPLICATION FOR DESTRUCTION  
OF RECORDS, SETTING ASIDE  
ADJUDICATIONS, and / or  
RESTORATION OF CIVIL RIGHTS**

**(USING BLACK INK, PRINT IN LARGE CLEAR LETTERS:)**

\_\_\_\_\_  
Last Name First Name Middle Name

\_\_\_\_\_  
Street Address Mailing Address (If different)

\_\_\_\_\_  
City, State, Zip Code City, State, Zip Code

Date of Birth: \_\_\_\_\_ Phone Number: (\_\_\_\_) \_\_\_\_\_

Message Number (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

Police Agency to be notified (for Destruction of Records Applicants ONLY) \_\_\_\_\_

**I apply for the relief indicated and certify under penalty of law that the following is true** (as marked):

☐

**I request the destruction of juvenile records as designated by my application.**

- I am at least 18 years of age; and
- I have not been convicted of a felony offense or adjudicated delinquent for an offense listed in A.R.S. 13-501 subsection A or B or Title 28 Chapter 4; and
- A criminal charge is not pending against me; and
- I have successfully completed all terms and conditions of court-ordered probation, or I have received an absolute discharge from the Arizona Department of Juvenile Corrections; and
- All restitution and monetary assessments have been paid in full, by me and my parents or guardian

**OR**

- I am at least 25 years of age; and
- I have not been convicted of a felony offense; and
- A criminal charge is not pending against me; and
- I have successfully completed all terms and conditions of court-ordered probation, or I have received an absolute discharge from the Arizona Department of Juvenile Corrections; and
- All restitution and monetary assessments have been paid in full, by me and my parents or guardian

☐ **I request the Court to set aside the adjudication on the petition filed on this date:**  
\_\_\_\_\_ and that I be released from all penalties and disabilities resulting from the adjudication, except those imposed by the Department of Transportation pursuant to A.R.S. Sections 28-3304, 28-3306, 28-3307, or 28-3308. **(Note: You must enter a specific date. Requests for the Court to set aside "ALL" adjudications will not be ruled upon.)**

- I am at least 18 years of age; and
- The offense was not in violation of statutes identified in A.R.S. Section 8-348 (D); **and**
- I have not been convicted of a criminal offense; and
- I do not have a criminal charge pending; and
- I have successfully completed all terms and conditions of court-ordered probation or I have received an absolute discharge from the Arizona Department of Juvenile Corrections; and
- All restitution and monetary assessments have been paid in full, by me and my parents or guardian

☐ **I request the court restore my civil rights and my right to carry or possess a gun or firearm.**

- I was adjudicated delinquent for a misdemeanor and have been released from probation, or
- I have reached the age of 30 and was adjudicated delinquent for a dangerous offense as outlined under A.R.S. 13-604 or a serious offense under A.R.S. 13-604 or burglary in the second degree or arson, or
- I was adjudicated delinquent for any other felony offenses, and it has been two years since I was discharged from probation;
- And I have successfully completed all terms and conditions of my court ordered probation, including the payment of restitution

☐ I am submitting this application incorporating the attached affidavit on my own behalf,

**OR**

☐ I am submitting this application incorporating the attached affidavit on behalf of the person listed above as ☐ his/her attorney ☐ probation officer/parole officer and his/her written authorization is attached to this application.

Signing this form is a statement to the Court that the information you have entered is true and correct to the best of your belief and knowledge ***under penalty of perjury.***

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

#### **INSTRUCTIONS**

1. **Read the conditions** listed under the request you are making.
2. **Do not use this form unless** you meet the conditions listed for that request.
3. Fill out the Affidavit and Application: Print your answers using **BLACK INK**.
4. Sign the form. By signing this form, you are stating that the information you have entered is true, under penalty of law.
5. **Make two (2) copies** of all pages of the Affidavit and Application.
6. **File the original and both copies** with the **Clerk of the Juvenile Court:**  
**In Phoenix**, at 3131 W Durango Street (Enter the round building, follow hallway to the left (east)).  
**In Mesa**, at 1810 S. Lewis Street. **(Note: Currently there is *no fee* for filing this request.)**